IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. Civil Writ Petition No.3208/07
Bhanwar Singh Vs. Manoj Kumar & Anr.

7.5.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri Ajay Tantia for petitioner.

The order which is impugned in the present writ petition is dated 7.7.2006 which in fact merely rejected the application filed under Order 9 Rule 13 CPC for setting aside the ex parte judgment dated 21.2.2006 passed by the Workman Compensation Commissioner on the ground that when the notice was sent to the petitioner, he refused to take it and therefore the service was deemed to be complete. The order dated 21.2.2006 whereby the compensation has been

directed to be paid to the workman which is appeable under Section 30 before this Court. The petitioner can take all these grounds including the ground with regard to the matter being proceeded ex parte against him for wrong reasons in the appeal which would lie to this Court and in doing so take advantage of Section 14 of the Limitation Act for bonafidely pursuing this remedy.

With these observations, the writ petition is disposed of.

(Mohammad Rafiq),J.

Rs/-